

**DECLARATION OF B.J. HEDGECOCK**

I, B.J. Hedgecock, being of lawful age and under the penalty of perjury pursuant to 28 U.S.C. § 1746, do declare as follows:

1. I am a named Defendant and am familiar with the allegations raised in Dan Miller, as Special Administrator of The Estate of Hank Miller, deceased v. B.J. Hedgecock, in his official capacity as Sheriff of Pushmataha County, State of Oklahoma, et al., Case No. 22-CV-164-RAW.

2. I have been a law enforcement officer since August 19, 2003, starting out as a Reserve Officer for Antlers Police Department and became a Full-Time Officer on January 1, 2004. I was employed by the City of Antlers until June 23, 2005.

3. I started as a deputy for the Pushmataha County Sheriff's Office on July 16, 2005 and continued my duties there until March 31, 2006.

4. I transferred from the Sheriff's Office to the District Attorney's Office on April 1, 2006, and worked on the Narcotics Task Force until March 31, 2016.

5. I returned to Antlers Police Department as a Reserve Office April 11, 2016 and served in that role until November 24, 2016.

6. I am currently the Sheriff of Pushmataha County. I have served as Sheriff of Pushmataha County since November 14, 2016 after being appointed by the Board of County Commissioners subsequent to winning the election.

7. The Pushmataha County Sheriff's Office has, and had at the time of the incident in that lawsuit, a Drug and Alcohol Testing Policy. Pursuant to paragraph 15 titled *Confidential Explanation by Individual*, "Any individual who receives a positive drug test results or has otherwise violated this Policy will be given an opportunity to offer an explanation, in confidence, to a representative of the County."

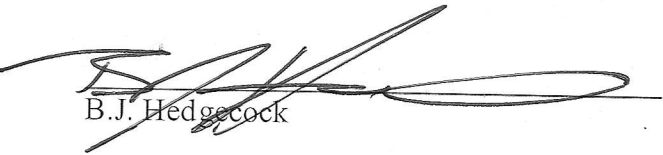
8. Pursuant to the above-stated policy, upon receiving notification of applicant Keith Knoll testing positive for marijuana on or about May 4, 2021. I asked him if he wanted to offer an explanation for why the test came back positive. Keith Knoll told me that he was taking CBD which he attributes to the reason for the false positive. I know from experience from prior staff, that while CBD is legal, it has been known to cause false positives for marijuana.

9. I offered applicant Keith Knoll an opportunity for retesting. A second specimen was given on May 10, 2021 and on May 12, 2021 the results were negative for the 5-Panel test.

10. The facts, information and statements set forth above are based on my own personal knowledge and/or review of relevant records and materials.

11. The facts, information and statements set forth above are true, complete and correct to the best of my knowledge, information and belief.

12. I state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



B.J. Hedgecock

Declaration of B.J. Hedgecock

Dan Miller, as Special Administrator of  
The Estate of Hank Miller, Deceased

v.

B.J. Hedgecock, in his official capacity as  
Sheriff of Pushmataha County,  
State of Oklahoma, et al.

Eastern District of Oklahoma, 22-cv-164